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# *Temoke Band of Shoshone and the Oasis Concept*

OMER C. STEWART

ANTHROPOLOGY, defined as the "science of man," seeks to develop and test theories. The late Julian H. Steward became world famous as an anthropological theorist before his death in 1972. His thirty monographs and articles on the Great Basin, based on archaeological and ethnological fieldwork from 1926 until 1972, justify his position as a preeminent anthropological scholar of the area. Some of his basic theories dealing with bands in the Great Basin appear to have developed as a result of his research among the Shoshone. Since the conclusions reached in the present study differ in part from those of Steward, it is appropriate to note his approach in some detail:

Other ecological factors permitted the growth of more complex sociopolitical forms in certain parts of the Basin-Plateau area. Villages amalgamated into bands when one of two conditions were present. First, they became bands when a fertile environment permitted large and closely spaced villages, obviated the necessity of extensive travel, and allowed certain people habitually to exploit a given territory and associate together in communal activities. This condition was present in Owens Valley, where named, landowning bands lived under the direction of chiefs with well-defined authority. Band unity was reinforced by communal sweat houses and mourning ceremonies.

Second, bands formed when transportation was so improved that large groups could live together and either bring their foods to a central point or travel as a body in search of them. Ecology thus permitted, if it did not cause, band development. Bands were formed in late pre-Caucasian times among Northern Shoshoni and probably among Ute. They were named but not landowning. Their solidarity was reinforced by need for protection in warfare. In the remainder of the area the horse was introduced late and bands were of brief duration. Political control of mounted bands centered in chiefs whose authority varied somewhat with their personalities, but which was immeasurably increased by circumstances incident to the arrival of the white man. Control of certain activities, however, such as war and hunting, was delegated to special men.<sup>1</sup>

My approach can be characterized as ethnohistorical. A more intensive analysis of the historical material dealing with Ruby Valley, Nevada, coupled with the ethnographic data of the area (gleaned in the main from Steward's works) appears to justify a different conclusion regarding the Shoshone band

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<sup>1</sup> Julian Steward, *Basin-Plateau Aboriginal Sociopolitical Groups* (Washington: Smithsonian Institution Bureau of American Ethnology Bulletin 120, 1938), 257-258.

in Ruby Valley than those reached by Steward. This article will present some of the data upon which this new conclusion is based.

### *Geographic Setting*

Ruby Valley, in south-central Elko County, is almost seventy-five miles long, from north to south, and extends about twenty miles east of the base of the Ruby Mountains (originally named the Humboldt Range) and the edge of Humboldt National Forest. The Ruby Mountain section of the Humboldt National Forest includes the uplands from about 6,200 feet elevation above sea level to include seven peaks above 10,000 feet. These mountains attract winter storms and snow which provide water for farms and ranches between the National Forest, Franklin Lake, Ruby Lake and other parts of the valley floor. Water filled the lake basins to about 5,965 feet above sea level, from which the water seeped out or was evaporated, yet the two lakes were not completely saline.

Ranches in Ruby Valley were established on the west side of the valley where waters from Ruby Mountain flowed into the lakes in over twenty creeks, the largest being Overland Creek in the north. The ranches in Ruby Valley were established on the terrain which had been most productive of Indian food in aboriginal times; as that land was taken up by white settlers, the Western Shoshone Indians of Ruby Valley were forced to accommodate to the whites or leave. They have attempted to stay and some have remained to the late 1970s.<sup>2</sup>

White knowledge of Ruby Valley may have started with the first white to enter northern Nevada, Jedediah Smith. In 1827, he crossed the area of Nevada from the vicinity of Carson City to the area of present-day Goshute Reservation, and travelled south of Great Salt Lake to the region where Salt Lake City was to be founded two decades later.<sup>3</sup> According to Cline, it is more certain that Peter Skene Ogden and a large party of trappers of the Hudson Bay Company entered Ruby Valley in 1828:

On December 13, the party crossed the Humboldt River and left this stream. . . . On the following day, they reached the western face of Ruby Mountain, for Ogden reports, "We are now near the foot of a Mountain, which appears very high and this we are to cross tomorrow." Undoubtedly Ogden and his men crossed the Ruby Mountains via Secret Pass, which is today utilized by State Highway 11. . . .<sup>4</sup>

Because of the so-called "scorched earth" policy of the Hudson Bay Company in 1828, when Ogden and his brigade of trappers passed through

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<sup>2</sup> The record of the promises of the federal government to assist the Western Shoshone to survive in Ruby Valley will be touched upon in this report.

<sup>3</sup> Gloria Griffen Cline, *Exploring the Great Basin* (Norman, University of Oklahoma Press, 1963), 112.

<sup>4</sup> *Ibid.*, 118.

Ruby Valley, that single visit drastically changed the ecologic balance between Indians and wild foods which had supported a large Shoshone population in the Valley. Under ordinary circumstances all fur trappers were careful not to take all available animals. Usually an ample breeding stock was left so that the reproduction and natural replacement of animals would insure future profits. Because of the competition between American and British fur companies in 1828, the Hudson Bay trappers attempted to take every fur-bearing animal in the northern Nevada area so that American companies could not operate there.<sup>5</sup> The "scorched earth" policy was so successful that the aquatic fur-bearing animals of Ruby Valley and the entire length of the Humboldt River in Western Shoshone country were completely removed. The British trappers were successful in their fur war against the Americans in northern Nevada, but the Western Shoshone were the innocent victims, being ignored in the policy decisions made in London and New York City. The pattern for Indian-White relations in Nevada established in 1828 has, unfortunately, been too closely followed during the one hundred fifty years since Ogden's first disastrous visit.

The Shoshone Indians in the area of northeastern Nevada were in what anthropologists have termed the "Hunting and Gathering" stage of cultural development when they were first visited by Jedediah Smith and Ogden in 1827 and 1828. They remained hunters and gatherers until overwhelmed by white travelers, and then by settlers who expropriated the natural products upon which the Indians depended.

An examination of the geography of the region reveals the following regarding the Western Shoshone country of Nevada. The Ruby Mountains with peaks over 10,000 feet above sea level are among the highest in Nevada, and the Ruby Valley at about 6,000 feet is one of the higher valleys. Nevada itself is made up of a series of isolated mountain ranges extending north and south, which are separated by uniformly level valleys. Nevada has been designated a Basin-Range physiographic province within the Great Basin, which means that moisture falling in the area stays within it. There are a number of small basins, like the Ruby Valley, without streams draining water out. The basin valleys of Nevada do not fill up and become lakes because the total available moisture is too limited. Pyramid Lake, Walker Lake and Ruby Lake are deep enough to remain only slightly brackish so that fish and other wildlife survive there, although it is questionable whether there were fish in Ruby Lake until planted there in recent times. Humboldt River and its tributaries, South Fork and Lamoille Creek, were the fish streams easily available to the Ruby Valley Shoshone to provide fish as part of their aboriginal diet, if fish were not present in the waters of Ruby Valley.<sup>6</sup> Al-

<sup>5</sup> *Ibid.*, 89-92.

<sup>6</sup> Stewart, *Basin-Plateau Aboriginal Sociopolitical Groups*, 159.

though Nevada is not a complete desert, like Death Valley or the Salt Flats west of Great Salt Lake, nearly all of the valleys are classified as desert shrubland providing food for grazing animals. Northwestern Nevada has been described as a "middle latitude desert." In the valleys sagebrush is the diagnostic vegetation in a zone designated as broadleaf evergreen, dwarf shrubform. Pine-juniper is the vegetation of the ranges. The Ruby Valley has an average of less than ten inches of moisture per year. It is this small precipitation which keeps Nevada a desert, notwithstanding the extra moisture attracted by Ruby Mountain which fills the short creeks flowing into Ruby Valley, making it into an oasis in the desert.<sup>7</sup>

Since most of Nevada is a desert, aborigines and invaders of European ancestry have had to live in the oases and have depended on the plants and animals of the oases for their food. The mountain ranges received more rainfall, and consequently provided more trees and other vegetation for grazing animals, which were hunted. Some valleys supported such plants as sagebrush, grass and weeds which provided food for game and some seeds for Indians, but without the oases, humans could not occupy Nevada.

In 1935, ethnologist Julian H. Steward interviewed aged Shoshone Indians of Ruby Valley and vicinity and published the information in two monographs.<sup>8</sup> The data in the two publications are basically the same but presented in different ways. His old Indian informants tried to portray Shoshone life before it was disrupted by non-Indians. Most of the animals reportedly hunted by ancient Shoshone are still present on Ruby Mountain and in Ruby Valley. These included deer, antelope, mountain sheep, rabbits, badger, porcupine, wildcats, ground hogs, gophers, rats, mice and fish.<sup>9</sup> Steward's old informants told him no fish were present in Ruby Valley in pre-white times, but that Ruby Valley Shoshone ate them when visiting along the Humboldt River and its tributaries, such as Lamoille and Secret Creeks and the South Fork of the Humboldt River west of Ruby Mountain. Of vegetable foods, pine nuts were a staple and were collected only on Ruby Mountain. Other plants reported as used by Ruby Valley Shoshone are the following: grass seeds, wild onions, *atriplex* or salt brush seeds, cactus, mariposa lily bulbs, yampa or camus roots, *chenopodium* or lambs quarters, thistle, wild rye, sunflower, stickseed, mint, chokecherry, currants, wild rose seeds, elderberry, buffalo berry, bitterroot, and thirteen other plants given Shoshone names which could not be identified.<sup>10</sup> It is significant that the

<sup>7</sup> Edward B. Espenshade, Jr., ed., *Goode's World Atlas*, 11th Ed. (Chicago, Rand McNally, 1960), 8, 54-56.

<sup>8</sup> In addition to *Basin-Plateau Aboriginal Sociopolitical Groups*, previously cited, Steward published "Culture Element Distributions: XIII Nevada Shoshone," *University of California Anthropological Records* 4 (1941).

<sup>9</sup> See Steward, "Culture Element Distributions," *ibid.*

<sup>10</sup> Steward, *Basin-Plateau Aboriginal Sociopolitical Groups*, 21-32.

Ruby Valley Shoshone referred to themselves as *wadaduka*, "grass seed eaters," because of the abundance of wild rye seeds which could be harvested with conical seed baskets and woven basketry seed beaters. Grass seeds would also attract birds, and both mudhens and ducks were caught in nets during communal drives; they were also trapped and were shot with arrows from blinds. Other birds captured in Ruby Valley were sage hens, bluebirds, doves, grouse, and quail. Insects were not rejected as food; Shoshone in Ruby Valley ate ants and ant eggs, cicadas, bee eggs, caterpillars and especially crickets which periodically appeared in great swarms, and became a major food to be cooked and dried and stored for winter.

Steward characterized Ruby Valley as being "exceptionally fertile" and with "an exceptionally dense population which served as the focal point for communal affairs of a considerable area."<sup>11</sup> His informants estimated that about 420 Shoshone lived in Ruby Valley in aboriginal times in an area of 1,200 square miles, which amounted to 2.8 square miles per person.<sup>12</sup> For the entire Shoshone territory in Nevada, 15.6 square miles were needed to support one Indian. In the valleys east of Ruby Valley, the population was one person to eleven square miles. Simpson estimated there were 1,500 Indians in Ruby Valley in 1859,<sup>13</sup> but Steward believed that was a temporary massing of the population from a considerable area. Agent Wasson reported 100 people in Ruby Valley under Chief Buck, who succeeded Chief Shoskub in 1862.<sup>14</sup> In 1873, Special Indian Commissioner S. W. Ingalls found 172 Western Shoshone in Ruby Valley under "Chief Tim-oak"<sup>15</sup> and his assistant chiefs To-sho-win-tso-go and Mose.<sup>16</sup> In the U.S. Census for 1880, "Chief Tomoke," age seventy, was listed as a farmer and a total of 88 Indians lived in Ruby Valley. In the U.S. Census of 1900, 71 Indians were named as living in Ruby Valley and the North Ruby precincts. On September 16, 1932, Frederick Snyder, Superintendent, testified before the U.S. Senate Committee in Elko that there were 70 Shoshone Indians living in Ruby Valley. Six families received government relief payments. A House of Representatives investigation in 1953 reported 87 Indians there as of 1940, and 65 as of

<sup>11</sup> Ibid., 144.

<sup>12</sup> Ibid., 48-49.

<sup>13</sup> J. H. Simpson, *Report of Explorations Across the Great Basin . . . in 1859* (Washington, 1876), 64.

<sup>14</sup> Sam P. Davis, ed., *The History of Nevada, II* (Reno, Elms Publishing Co., 1913), 138.

<sup>15</sup> The Western Shoshone band in the Ruby Valley which is the subject of this study is now officially referred to as the Te-moak band, and the family spells the name Temoke. Various historical references and spellings include Tim-oak, Tumok, Tomoke, Te-Moak, Tumoak, Timook, and others. In the present article, the various spellings are retained as in the original references.

<sup>16</sup> John W. Powell and G. W. Ingalls, *Report on Conditions of Numic Speaking Indians of the Great Basin* (1894) in Don D. and Catherine S. Fowler, eds., *Anthropology of the Numa: John Wesley Powell's Manuscripts on the Numic Peoples of Western North America, 1868-1880* (Washington, D.C., 1971), 97-119.

1950.<sup>17</sup> A Department of Commerce report on Indian Reservations in 1974 cited a BIA census for 1972 which reported a population of 40 on the Ruby Valley Reservation.<sup>18</sup> A number of former Shoshone residents of Ruby Valley now live in other Indian communities in Elko or nearby.

The question arises whether the Ruby Valley Western Shoshone were numerous enough to require a social organization for their local internal personal relations and for external dealings with other Indians, and eventually foreign invaders, in that area of the Great Basin of Nevada with sufficient population density to justify a band organization such as was present in Owens Valley, California, according to Steward.<sup>19</sup> In a number of respects, Ruby Valley and Owens Valley are geographically similar. In both, high mountains to the west capture moisture which enter the valleys in numerous streams which soon end in desert lakes. According to the earliest reports and ethnographic estimates, Owens Valley had a total population of 1,000 people in 2,125 square miles of territory, for a mean of 2.1 square miles per person. In contrast, Ruby Valley supported 420 people on 1,200 acres, thus requiring 2.8 square miles per person.<sup>20</sup> If one evaluates the two territories according to productive area, Owens Valley had a long, moist valley floor about 62 miles long (from present day Lone Pine to Bishop) which averages about 8 miles wide. The wet oasis encompassed about 500 square miles on which 1,000 people lived. In Ruby Valley, well-watered, fairly flat land between mountain slope and lake averages about two miles. Thus the Ruby Valley oasis permitting high population amounted to 150 square miles for 420 people. Calculating population density using the habitable area, but not including mountain, lakes, alkali flats, etc., Ruby Valley with less than half the total population of Owens Valley reached a greater population density. Thus, in my opinion, Ruby Valley provided the "Ecological Determinants" defined by Steward to support bands and chiefs.<sup>21</sup>

### *Ruby Valley Bands and Chiefs*

As an introduction to this section on the Ruby Valley Band of Western Shoshone, a short statement of the theory of the origin and development of political organization seems called for. Whether we are talking of the far-distant past or the recent period just before the European conquests after 1500 A.D., the following appears to be correct. Groups with very small populations who survive by the hunting and gathering of natural products as

<sup>17</sup> U.S., Congress, House, *Investigation of the Bureau of Indian Affairs*, H. Rept. 2503, pp. 707 and 967.

<sup>18</sup> U.S., Dept. of Commerce, *Federal and State Indian Reservations and Indian Trust Areas*, 1974, p. 326.

<sup>19</sup> Steward, *Basin-Plateau Aboriginal Sociopolitical Groups*, 237.

<sup>20</sup> *Ibid.*, 48-49.

<sup>21</sup> *Ibid.*, 230-237.

family groups and seldom come in contact with other people, except as single families, require no political organization beyond the family. As more families meet and when food supplies allow permanent groups of families, temporary leaders arise to supervise joint endeavors. Such a situation existed in most of the Nevada Shoshone territory. The greatest stimulation to the development of a permanent complex political structure with a permanent overall chief was contact with new groups from outside the traditional territory of a group. One might say that until there were intergroup relations, permanent group leaders were not needed and did not occur. When strangers arrived regularly in numbers, chiefs developed to deal with outsiders. Chiefs were present when there were "international relations," even if the "nation" might be a band or tribe. Thus, for the Western Shoshone, with no record of strangers arriving in numbers before Europeans arrived, there was no need for permanent band chiefs. When Europeans arrived in numbers and stayed, the Western Shoshone could adjust to the political pressure and bands and chiefs arose to meet the challenge. The Ruby Valley band was one of the first and most enduring of such Shoshone bands.

The first Shoshone band of northeastern Nevada which received a name was the "White Knives" so named March 29, 1852 in a letter to the Commissioner of Indian Affairs by Agent J. H. Holeman. The White Knives were located west of the Ruby Mountains and north of the Humboldt River, and later were settled on the Duck Valley Reservation along the Nevada-Oregon border in 1877; their descendants are still there and identify themselves as White Knives.<sup>22</sup>

The first chief clearly identified with the Ruby Valley Shoshone was Sho-Kup. In the personal treaty arranged by Agent Hurt in 1855, his name is recorded Sho-cop-it-see. On May 19, 1859, Capt. J. H. Simpson refers to "Cho-Kup, chief of the Sho-sho-nees south of Humboldt River." A copy exists of a paper declaring that Chief Cho-Kup was trustworthy. Simpson named a pass a little south and west of Ruby Valley "Cho-Kup's Pass." Simpson gives the clear implication that Cho-Kup was chief of the 1,500 Sho-sho-nees who wintered in Ruby Valley, in the vicinity of the Indian farm that "Mr. Jarvis, the Indian agent, has commenced."<sup>23</sup> Early traveler-reporters Remy and Benchley<sup>24</sup> and Burton<sup>25</sup> mentioned Sho-Kop. Indian Superintendent Henry Martin wrote to the Commissioner of Indian Affairs in 1861 that "The Indians in Ruby Valley . . . (were) quite numerous, under Chief Sho-kub."<sup>26</sup>

<sup>22</sup> Jack Harris, "The White Knife Shoshoni of Nevada," in *Acculturation in Seven American Indian Tribes* edited by Ralph Linton (New York: Appleton Company, 1940), 39-87.

<sup>23</sup> Simpson, *Report of Explorations Across the Great Basin*, 63, 67.

<sup>24</sup> Jules Remy and J. Benchley, *A Journey to Great Salt Lake City* (London: W. Jeffs, 1861) I, 145.

<sup>25</sup> Richard F. Burton, *The City of the Saints* (London: Longman, Green, 1861), 571-572.

<sup>26</sup> U.S., Dept. of the Interior, *Report of the Secretary of the Interior*, 1862, pp. 744-748.

It was Agent Warren Wasson, in a letter to Nevada Governor James W. Nye of June 28, 1862, who reported that Chief Shokub had died, but had designated Buck to succeed him. Wasson reported he reached Ruby Valley on January 22, 1862: "Here I found about one hundred Indians, headed by a young chief called Buck."<sup>27</sup>

There is no explanation from the time to enlighten us concerning the process by which Temoke became the number one chief of the Western Shoshone Indians, when Governor James W. Nye of Nevada and Governor James D. Doty of Utah negotiated a "Treaty of Peace and Friendship . . . at Ruby Valley" on October 1, 1863. Chief Buck was the eleventh chief to sign. The year before Indian Agent T. W. Hatch on September 16, 1862 wrote to Governor Doty "The Shoshones . . . of which Tomoke, Buck, and Quads are their chiefs which come within this [Salt Lake City] agency, are in and about Ruby valley, Humboldt river and mountains."<sup>28</sup> During his ethnographic field work in 1935, Steward was told by Bill Gibson, who had been a spokesman for the Ruby Valley Shoshone in 1912 and 1929 before talking to Steward, that Temoke became a leader because he was not afraid of whitemen and because he worked in Ruby Valley "to keep the Shoshoni . . . at peace." Steward declared: "Tumok's political and military career was . . . as brief as it was spectacular, lasting probably not more than seven years between 1854 and 1863."<sup>29</sup> However, other documents cast doubt upon Steward's view that Temoke's role as chief ended as soon as he had signed the Ruby Valley Treaty in 1863.

Although in July 1867, Indian Agent T. T. Dwight reported that "Capt. Buck" of Ruby Valley claimed 500 Shoshone under his control Dwight also wrote: "Capt. Buck . . . was created Chief by the officers of the Fort for meritorious conduct during the last Indian difficulty. . . ."<sup>30</sup> More important in the assessment of the importance of "Tumok" as chief is the investigation of Great Basin groups by Powell and Ingalls of 1873. In Elko, Ingalls was assisted by Indian Agent Levi Gheen, who spoke the Shoshone language. Ingalls designated "Tum-oak" as "Chief of Alliance" over twelve other chiefs.<sup>31</sup> In addition to being assigned special status by Powell and Ingalls, others honored him before he died in 1891 although as Steward reported, he remained in Ruby Valley.<sup>32</sup> On June 17, 1869 he signed a "consenting clause" to the 1863 Treaty before it was proclaimed by President U. S. Grant on

<sup>27</sup> Myron Angel, ed., *History of Nevada* . . . (Oakland, Thompson and West, 1881; reprinted, Berkeley, Howell-North, 1958), 178-179.

<sup>28</sup> U.S., Dept. of the Interior, *Report of the Secretary of the Interior*, 1862, pp. 349-354.

<sup>29</sup> Steward, *Basin-Plateau Aboriginal Sociopolitical Groups*, 149-150.

<sup>30</sup> T. T. Dwight, Superintendent Indian Agency, Carson City, letter to Commissioner of Indian Affairs, U.S. National Archives, Record Group 75.

<sup>31</sup> Powell and Ingalls, op. cit.

<sup>32</sup> Steward, *Basin-Plateau Aboriginal Sociopolitical Groups*, 150.

October 21, 1869. Timook, Buck, Frank, Charley Timook and Tonag signed, all in Ruby Valley. His position as the chief was affirmed by Gheen in a report dated March 15, 1873: "Two Indians came to-day from Ruby Valley. . . . They were sent by the chief (Timoak) of the Band in Ruby Valley and vicinity." A year later Gheen wrote: "Ruby Valley is considered by the Indians their capital or center place—their great chief resides there." Then in 1878 Gheen said in his final annual report after many years as agent: "A council was held with several chiefs and leading Indians from south of the railroad, among whom was old Temoke (rope), who, before he became unable to act on account of age, was the recognized chief of all the Western Shoshone, and who even now retains great influence."<sup>33</sup>

Agent John How, Gheen's replacement, wrote about Temoak in one of his first communications from Elko, March 10, 1879: "Temoak their old chief was here. He is over eighty (80) years of age. In his statement made to me today he says he has a farm . . . that with him he has a brother, his sons, women and children in all sixty (60) souls. . . ."<sup>34</sup> How's figures were supported by the official U.S. Census of 1880 in which Ruby Valley was listed as the home of "Chief, Tomoke," age 70, and 87 other Indians.

Notwithstanding the fact that there is no evidence the Western Shoshone held in high regard the principle of heredity or direct descent in determining chieftainship, the Ruby Valley Shoshone soon practiced it. Probably the principle was imposed upon the Indians by the Ruby Valley whites and government officials as much as by the Indians themselves acquiring the concept. In the ethnohistorical data already presented heredity did not seem to play a role before 1863. At the time of Temoke's death in 1890 or 1891, according to the memory of a white woman who was a girl in Ruby Valley at the time, Ruby Jack succeeded Temoke but no other reference to Chief Ruby Jack has been discovered.<sup>35</sup> In 1969 Edna Patterson, an ethnohistorical researcher and writer in Elko, summarized the genealogy of the Temoke chiefs as follows: "Old Temoke was succeeded by Joe Temoke, son of Charley, a brother of Old Temoke. Old Temoke had had two daughters whom Joe Temoke took in marriage. One named Susie . . . and the other, Mary. . . . It was through the matriarchial lineage of Mary that Machach Temoke succeeded Joe Temoke and became Chief. . . . Machach served his tribe as chief until he became old and feeble, at which time his son, Frank Temoke, as-

<sup>33</sup> Levi Gheen was the Shoshone Indian Agent in Elko, Nevada. His letters to the Commissioner of Indian Affairs of March 15, 1873 and Oct. 3, 1874 are in Record Group 75, U.S. National Archives; his letter of Sept. 14, 1878, is published in the *Annual Report of the Commissioner of Indian Affairs, 1878*, p. 104.

<sup>34</sup> Letter to the Commissioner of Indian Affairs, March 10, 1879; Record Group 75, U.S. National Archives.

<sup>35</sup> Edna Patterson, Louise A. Ulph. and Victor Goodwin, *Nevada's Northeast Frontier* (Reno: Western Publishing Co., 1969), 506.

sumed title of Chief."<sup>36</sup> Patterson cites the *Elko Free Press*, April 28, 1960, to the effect that Machach Temoke had died.<sup>37</sup> The official Bureau of Indian Affairs "Census of the Ruby Valley Indians of Carson Agency" for 1938 taken by Frederic Snyder, lists Joe Timoke as "Chief"; Machach Timoke as Stepson of Joe; and Frank Machach, as son of Machach Timoke.

Evidence the white community of Elko County supported the notion the Ruby Valley Shoshone had an hereditary chieftainship comes from documents published by the U.S. Senate as "Survey of Conditions of the Indians in the U.S." resulting from a Senate hearing in Elko, Sept. 16, 1932 and from additional documents submitted by witnesses. For example, reprinted affidavits from 1927 referred to a visit to Ruby Valley of Superintendent Calvin H. Asbury from Duck Valley Reservation who was in charge of Ruby Valley. Bill Gibson testified "C. H. Asbury was here in 1912. . . . He told Machach that he had water . . . 'That your water in Ruby.'" Another witness remembered Asbury as saying: "Tell other Indians you tell Joe Temoak this water belong to Joe. He no talk to Joe." The thrust is unmistakable. Temokes were accepted as representing Indians in Ruby.<sup>38</sup>

The 1932 Hearing reproduced testimony taken by government engineer W. M. Reed in 1927; a major witness was Machach Temoak concerning the refusal of Ruby Valley Shoshone to move to Carlin or Duck Valley. Machach explained the motives of his grandfather.<sup>39</sup> For the 1932 hearing in Elko, the claims attorney for the Shoshone, Milton B. Bodt, arranged a meeting of the Indians, minutes of which start as follows: "Pursuant to the call of Machach Temoak, Billy Gibson and other acting chiefs. . . ."<sup>40</sup> The published Hearings included a genealogy of the Temoak family in the form of an "affidavit of Lazy Jim . . . taken in the presence of Joe Temoak, Willie Gibson [Indian interpreter] . . . and B. G. McBride [white rancher in Ruby Valley], January 17, 1927."<sup>41</sup> The data recorded conform to the family genealogy above from Patterson, Ulph, and Goodwin.

Concerning the Ruby Valley Shoshone Indian Chief of 1979, Patterson, Ulph, and Goodwin have stated that "Few Indians remain in Ruby Valley to-day. Of the fragments of the once great band of Temokes there remains Chief Frank Temoke, great grandson of old Chief Temoke. Chief Frank still cherishes the thought of the grant . . . [of] a reservation 6 miles square located on Overland Creek in Ruby Valley."<sup>42</sup> In October, 1978 when I per-

<sup>36</sup> *Ibid.*, 22-23.

<sup>37</sup> *Ibid.*, 66.

<sup>38</sup> U.S., Congress, Senate, Committee on Indian Affairs, *Survey of Conditions of the Indians in the United States Part 28*, p. 14872. Hereafter cited as "Survey of Conditions. . . ."

<sup>39</sup> *Ibid.*, 14846.

<sup>40</sup> *Ibid.*, 14847.

<sup>41</sup> *Ibid.*, 14855.

<sup>42</sup> Patterson et al., 13-14.

sonally visited Ruby Valley I received a calling card from "Chief Frank Temoke, Shoshone American Indian Tribe, Ruby Valley Indian Reservation" with his telephone number. He also presented me a copy of an undated letter from a famous claims attorney of Washington, D.C., Charles J. Kappeler, to Attorney Joseph Chez of Utah. (From other sources I know both were active in the 1930s.) The letter concerned the right of Indians to hunt in Nevada without a license. An attached note said: "This letter is reprinted by Chief Frank Temoke for the use and benefit of Shoshone People. . . ."

There appears no question that the Temokes were leaders of a recognizable group which identified itself as Ruby Valley Shoshone from 1863 to 1979. A shared experience on land designated as a reservation for the Ruby Valley Indians in 1859 upon which hundreds of Indians lived and worked, served to strengthen identification with the area. The memory of the promised, but short-lived six-mile-square reservation, plus the hope that the U.S. government would eventually return that 1859 reservation may have been a strong emotional force to keep the Ruby Valley Indian community in existence. It is now appropriate to examine the history of Indian lands in Ruby Valley.

#### *Indian Lands in Ruby Valley*

The history of Indian lands in Ruby Valley is complicated by a number of circumstances. Ruby Valley was always at the fringe of administrative responsibility in terms of U.S. governmental relations with the Indians. From 1850 to 1866 it was in Utah Territory over 200 miles from Salt Lake City. After 1866 it was on the eastern edge of an administrative area over 300 miles from Carson City. Only from 1860 to 1874 was Ruby Valley a relatively important district. That was the period of the Pony Express and the overland stagecoach, and of Fort Ruby. This era ended with the establishment in 1874 of Carlin Farms Shoshone Indian Reservation, at the railroad town of Carlin on the Humboldt River, and there was great pressure (with considerable success) to attract all of the Indians away from Ruby Valley. Soon afterward the Duck Valley Reservation on the border between Nevada and Idaho was established by executive order on April 16, 1877, and pressure was exerted to have all Western Shoshone move to Duck Valley.

The order to establish a reservation for the Shoshone in Ruby Valley was issued on March 5, 1859, in Salt Lake City by the Superintendent of Indian Affairs for Utah, J. Forney, to R. B. Jarvis: "I have concluded . . . [you should] commence a Farm and make a Reservation for each of the above named bands of Indians, in Deep Creek for the Gosha Utes and in Ruby Valley for the Humboldt Sho Sho Nees . . . you will proceed without delay to Ruby Valley. . . . There you will find from 5 to 700 Indians, known

as Humboldt Sho Sho Nees.”<sup>43</sup> In a letter of July 25, 1859, Forney reported that Jarvis had delivered cattle and farm implements but rather than remain as a farmer he returned to Salt Lake City and resigned in May 1859.<sup>44</sup> On January 25, 1860, S. C. Stambaugh, Surveyor General, Utah Territory, wrote to the General Land Office, Washington, D.C. after a visit to the west of Salt Lake City, that Wm. H. Rogers, Esq., recently appointed, had not yet taken possession of his post. However, he noted that “Ruby Valley farm” . . . has about 30 acres under cultivation. There is one agent and four laborers employed. . . .”<sup>45</sup>

On June 30, 1861, Superintendent Benjamin Davis, from Salt Lake City, reported on his visit to his agency, but of Ruby Valley he wrote: “No agents being in the territory (for three hundred miles west of Salt Lake City) except W. H. Rogers, esq., who lay at the point of death and could not be consulted on any subject. . . . I prepared estimates. . . .” After one year’s tenure Davis was replaced by Henry Martin, who reported on October 1, 1861: “The Indians in Ruby valley, on the mail and telegraph lines, west of here [Salt Lake City], that range near the reservation there, are quite a numerous band under chief Sho-kub, and are known as the Ruby Valley Snakes.”<sup>46</sup>

On June 28, 1862, Indian Agent Wasson reported to Nevada Territorial Governor James W. Nye about the death of Chief Sho-kub in Ruby Valley and the naming of Buck as his successor.<sup>47</sup> On September 16, 1862 Indian Agent T. W. Hatch reported to Governor James D. Doty of Utah Territory on the same area: “The Shoshones, or Snakes, of which Tomoke, Buck and Quads are their chiefs, . . . are in and around Ruby valley. . . .”<sup>48</sup>

Another notice of the establishment of the first Ruby Valley reservation is to be found in the publication of Smithsonian Institution, Annual Report, No. 18 (1899) by C. C. Royce, entitled *Indian Land Cessions in the United States*. This is a compilation of all Indian Treaties and Executive Orders. Under 1859, pp. 822–23, is the following: Tribe: Western Shoshoni; Reservation: “A reserve was selected and set apart by agent Jarvis at Ruby Valley, Nevada. This reserve was 6 miles square. After being occupied and cultivated for several years it was abandoned and subsequently became a station for the Overland Stage Company.” The order to abandon has not been found.

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<sup>43</sup> Record Group 75, U.S. National Archives.

<sup>44</sup> Forney to A. B. Greenwood, Commissioner of Indian Affairs. Record Group 75, U.S. National Archives.

<sup>45</sup> Stambaugh to S. A. Smith, Commissioner, General Land Office. Record Group 75, U.S. National Archives.

<sup>46</sup> U.S., Dept. of the Interior, *Report of the Secretary of the Interior*, 1862, pp. 744–748.

<sup>47</sup> Angel, loc. cit.

<sup>48</sup> U.S., Dept. of Interior, *Report of the Secretary of the Interior*, 1862, pp. 349–354.

Other sources provide a better picture of the Ruby Valley Reservation than official government documents. One such source is the account of October 7, 1860, of the famous world traveler Richard F. Burton:

Ruby Valley is a half-way house, about 300 miles from Great Salt Lake City. . . .

We were received at the Ruby Valley Station by Colonel Rogers, better known as "Uncle Billy." He had served in the troublous days of California as a marshal, and has many a hairbreadth escape to relate. He is now assistant Indian agent, the superintendent of a government model farm. . . . We were introduced to the chief of the country . . . Chokop ("earth"). . . . He commands about 500 warriors. . . .

Uncle Billy managed to make the post pay by peltries of the mink, wolf, woodchuck or groundhog, fox, badger, antelope, black-tailed deer, and others.<sup>49</sup>

Patterson et al. summarized the early period of the Ruby Reservation as follows:

William H. Rogers, farmer agent in Ruby Valley in 1861, was retained at a salary of \$1600 per annum. Because of the peculiar influence "Uncle Billy" exerted over the Indians, it was felt advisable that he be kept in the employment of the Indian Service. Benjamin Davis, Superintendent of Indian Affairs, Utah Territory, noted that after deducted salaries of the officials and their expenses, pay of Farm Agents, other employees and incidental expenses, little was left for clothing which was more needed among the Indians than anything else.<sup>50</sup>

In Patterson et al., there is further discussion of the role of Colonel William Rogers:

The first white settler in Ruby Valley, Colonel William Rogers or "Uncle Billy," served as commander-in-chief of the Indian war forces in California in 1850. He later became sheriff of El Dorado County, California, and in 1859 received the appointment as Indian agent to the Shoshones of Ruby Valley. In this capacity he settled at Overland Creek on what later became the Norman Wines Ranch. The Indian Service failed to clear lands and plant crops for themselves, and as a result Rogers, disgruntled with the Indian Service, gave up his job as Indian agent.<sup>51</sup>

The sequence of events in the 1860s in Ruby Valley is unclear. In the *History of Nevada* edited by Davis there is a report that Charles Stebbins ran a trading post in Ruby Valley in 1861 and that on two occasions when Indian women were in distress they appealed to him for safety.<sup>52</sup> Had Rogers left before 1861?

In 1862 Henry Butterfield was appointed Indian Agent in Ruby Valley

<sup>49</sup> Burton, loc. cit.

<sup>50</sup> Patterson et al., 15.

<sup>51</sup> Ibid., 501.

<sup>52</sup> Davis, II, 153-154.

by Governor Nye and Butterfield was listed as interpreter and witness to the Nye-Doty treaty negotiated in Ruby Valley on October 1, 1863. Butterfield may not have been told that a township had been set aside for the Indians.<sup>53</sup>

The events surrounding the Indian farm after the departure of Agent Rogers have been summarized as follows:

In 1863 the Overland Mail Company financially backed Chester Allen Griswold to come to Ruby Valley and put together the Overland Ranch. . . . The men took up more land and used Indian labor to raise grain. . . . The site chosen by Griswold for the farm lay some 40 miles north from the Overland Stage Station on Overland Creek which provided abundant water for irrigation. By the spring of 1865 the Overland Farm was so well developed that it employed 100 men, using 30 plows and 90 yoke of oxen to sow 90,000 pounds of grain. Overland Farm harvested 8,575 bushels of barley, 8,745 bushels of oats, 1,655 bushels of potatoes, 1,845 bushels of turnips, 1,000 bushels of carrots and 78 bushels of beets.<sup>54</sup>

The completion of the transcontinental railroad in 1869 brought about the abandonment of Camp Ruby and ended the economic boom in Ruby Valley. The Pony Express, the transcontinental telegraph and the Overland Stagecoach brought great activity to Ruby Valley, and completely swamped the Indians who remained there during the boom years and after.

Colonel J. B. Moore, who had commanded Camp Ruby, left the service in early 1865, and "Settling in Ruby Valley, he engaged in farming and stock raising. . . . He raised the first grain in Elko County."<sup>55</sup> Other discharged soldiers from Camp Ruby to settle in Ruby Valley were John Helth, Mickey Flynn, and John Thompson. The Wines brothers, Ira, Leonard and Norman, had connections with the stagecoach companies. Thomas Short had been a successful miner. The 1870 U.S. Census listed 153 non-Indian residents in Ruby Valley.<sup>56</sup>

Evidence that the Indians of Ruby Valley did not forget that a township of land had been given them is found in several earlier sources which were assembled for the congressional hearing in Elko on September 16, 1932. In 1912 Superintendent C. H. Asbury declared that the water rights on Indian land they were allotted on the original township needed no further establishment.<sup>57</sup> In 1918 Agent Dorrington simply advised the Indians to live on their allotments. In 1919 Ruby Valley Shoshone Machach Temoak and a friend travelled to Washington, D.C. to seek clarification of the status of the original Jarvis reservation. On December 1, 1919, E. B. Meritt, the Assistant Commissioner of the Office of Indian Affairs stated that there was

<sup>53</sup> Patterson et al., 16.

<sup>54</sup> *Ibid.*, 501-502.

<sup>55</sup> Angel, 390.

<sup>56</sup> Patterson, et al., 505.

<sup>57</sup> "Survey of Conditions," 14872.

no record of "a tract of land 6 miles square in Ruby Valley, Nev., which is now claimed by the remaining members of the Temoak band."<sup>58</sup>

Machach Temoak must have been acting on the same oral tradition repeated to B. G. McBride in his January 27, 1927 interview with Joe Temoke and Lazy Jim. Patterson, et al., stress that "The determination of the Temoke band of Ruby Valley to stay in their native land was associated with a grant given Temoke by a soldier at Fort Ruby. Joe Temoke and Lazy Jim recalled:

Captain Mench (soldier) give Chief Temoke paper for land six miles square where brick house Overland Creek is one corner. Soldier told man in cabin to give Indian one-half water. This man had first house on Overland Creek. . . . Man named Hay survey this land (Six square miles) To-so-we-su-opo say "This is your land." Remember surveyor name because "Hay" (grass) Indian call this so-nip. Hay say "One man come here from Washington. This be your reservation." Chief Temoke no go to Duck Valley. Say I can't go from here I have lots of ducks, pine nuts, deer. I can't go Duck Valley Reservation.<sup>59</sup>

The full history of the Indian allotments on the old Jarvis 1859 township has not been constructed but the latest 120 acres allotted to Frank Temoke, Jr., carries the note "Reserved for allotment purposes be E.O. 1606, 9-16-1912." Allotments adjoining in T 30 N, R 28 E are as follows: 40 acres to Joe Temoke, 3-21-23; 80 acres to Joe Billie Charley 6-15-26; 80 acres to Frank All or Frank Steele 4-6-20; 160 acres to Friday Bill (to heirs) 2-9-38; 40 acres to Frank Jim 4-6-20; joining but in a separate township were 70 acres to Machach Tomoque, 4-6-20. Thus seven Indian Trust allotments incorporating 590 acres of the original 1859 reservation are still carried on the books of the Elko County assessor and U.S. Bureau of Land Management.

In 1979 there were four other Indian Trust allotments in Ruby Valley far separated from the group in or near Section 25, T. 30 N, R. 58 E. One consists of eighty acres to Brownie Mose 6-16-25 in Sec. 21, T. 31 N, R. 59 E., which is about five miles from the ones previously listed. About seven miles further north in Section 14, T. 32 N., R. 59 E., George Moore was allotted 160 acres on April 6, 1920. Adjoining on the north in Section 11, T. 32 N., R. 59 E., are 160 acres allotted to Burt Moon February 9, 1922. Finally in Ruby Valley is the Indian Trust allotment of Little George of 160 acres situated in Section 6, T. 27 N. and in Section 31, T. 28 N., all in R. 58 E. This is about fifteen miles south of the main settlement on the old Jarvis reservation.

One trust patent of 80 acres issued to Frank All in 1911 was cancelled in 1929. It was situated in Sec. 25, T. 31 N., R. 59 E., about seven miles north-east from his second allotment near Temoke's in T. 30 N., R. 58 E. Other

<sup>58</sup> *Ibid.*, 14859.

<sup>59</sup> Patterson et al., 21-22.

cases of Indians in Ruby Valley losing allotments are those of Bronco Charlie losing his 79.42 acre homestead and Little George losing his of 79.62 acres; both had received patents in fee. These two fee patents adjoin the trust allotment of Little George, mentioned above, which straddle the township line between T. 27 and T. 28 N, R. 58 E.<sup>60</sup>

Temoke was honored by having the larger group of Shoshones in Elko County chose the name *Te-moak Bands of Western Shoshone Indians, Nevada*, when it organized under the Indian Reorganization Act. Its constitution was approved August 24, 1938, and a corporate charter was ratified December 12 of that year. The headquarters of the Te-moak bands are located in Elko, and include most of the Shoshone in northwestern Nevada except those who have settled on the Duck Valley Reservation. Members of the Temoke family live in Elko and participate in the elections of the incorporated Te-moak bands.

In Ruby Valley, Frank Temoke asserts that he is the hereditary chief of the Ruby Valley Band of Shoshone, but that the title and respect accorded are purely honorary, inasmuch as the Te-moak bands of Elko have legal authority and financial support from the Bureau of Indian Affairs. In 1974 the Department of Commerce reported 40 Ruby Valley Shoshone and more than 400 other Shoshone in Elko and its vicinity. In 1979 the present writer was informed by Chief Frank Temoke in Ruby Valley that only about "two dozen" Shoshone still survived there.

In conclusion, then, the data presented justify the view that the Ruby Valley provided the ecological requirements to support a band in aboriginal times. This is supported by the ease and rapidity with which a Shoshone chief of the Ruby Valley band was recognized by his fellow Indians and by whites who passed by or settled in the vicinity. Old Temoke (however the name was spelled) was a chief by 1860; and he remained a chief most of his life. Furthermore, Temokes have been chiefs of the Ruby Valley band of Shoshone until the present.

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<sup>60</sup> I have found no explanation why their two allotments, out of fourteen allotments to Indians in Ruby Valley, should have been given in fee rather than kept in trust like the others.